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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SETO MARSELIAN, d/b/a BISTRO PAZZO,
individually and on behalf of all others similarly
situated,

Plaintiff,

v.

WELLS FARGO & COMPANY, WELLS
FARGO BANK, N.A., and DOES 1-10,
inclusive,

Defendants.

Case No. 4:20-cv-03166-HSG

**STIPULATION EXTENDING TIME TO
RESPOND TO COMPLAINT AND
STIPULATED REQUEST AND
~~PROPOSED~~ ORDER TO CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE**

(as modified)

The Hon. Haywood S. Gilliam, Jr.

1 WHEREAS, on May 8, 2020, Seto Marselian d/b/a Bistro Pazzo (“Plaintiff”) filed the
2 instant action against Wells Fargo & Company and Wells Fargo Bank, N.A. (together, Defendants);

3 WHEREAS, on or about May 15, 2020, Defendants were served with a summons and
4 complaint;

5 WHEREAS, on June 3, 2020, the parties filed a Stipulation Extending Time to Respond
6 to Complaint pursuant to Local Rule 6-1(a), which extended Defendants’ time to respond to the
7 complaint in this action to August 4, 2020;

8 WHEREAS, the Initial Case Management Conference in this action is currently set for
9 August 18, 2020 at 2:00 p.m.;

10 WHEREAS, on June 9, 2020, a Motion for Transfer of Actions to the Southern District of
11 Texas Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceeding (the “MDL
12 Transfer Motion”) was filed with the Judicial Panel on Multidistrict Litigation (“JPML”), seeking to
13 transfer this Action and several other cases to the Southern District of Texas for coordinated or
14 consolidated proceedings in a multidistrict litigation entitled *In re Wells Fargo Paycheck Protection*
15 *Plan Litigation*, MDL No. 2954;

16 WHEREAS, the JPML is scheduled to hold a hearing on the MDL Transfer Motion on
17 July 30, 2020;

18 WHEREAS, Plaintiff has agreed to further extend the time for Defendants to answer or
19 respond to the complaint in this action by 45 days;

20 WHEREAS, pursuant to Local Rule 6-1(a), the extension of time for Defendants to
21 answer or respond to the complaint will not alter the date of any event or any deadline already fixed by
22 Court order; and

23 WHEREAS, under Fed. R. Civ. P. 6(b)(1)(A) and Civil Local Rule 6-1(b), Plaintiff and
24 Defendants request that, subject to the Court’s availability, the Court continue the August 18, 2020
25 Initial Case Management Conference to a date and time in October 2020 to be set by the Court. As set
26 forth in the accompanying Declaration of Brendan P. Cullen, good cause exists for the Court to continue
27 the Initial Case Management Conference because an extension will promote judicial economy and
28

conserve the resources of the parties and the Court during the pendency of the MDL Transfer Motion in *In re Wells Fargo Paycheck Protection Plan Litigation* in the JPML.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, through their undersigned counsel, that:

1. Defendants shall have until September 18, 2020 to answer or respond to the complaint.

2. Plaintiff and Defendants request that the Court continue the Initial Case Management Conference, along with all related deadlines, to a date in October 2020 to be set by the Court.

DATED: July 24, 2020

/s/ Brendan P. Cullen

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DATED: July 24, 2020

/s/ Albert Y. Chang

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The August 18, 2020 initial case management is continued to October 27, 2020 at 2:00 p.m. A joint case management statement is due October 20th.

Dated: 7/27/2020


THE HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE